

22-cr-61-kmm

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

INFORMATION

v.

26 U.S.C. § 7201

LARRY WALLACE LINDBERG,

Defendant.

RECEIVED

APR 04 2022

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

THE UNITED STATES ATTORNEY CHARGES THAT:

Introduction

1. At times relevant to the Information:
 - a. Defendant LARRY WALLACE LINDBERG was a pharmacist residing in the state of Minnesota.
 - b. Defendant LINDBERG was the founder, owner, and chief executive officer of Midwest Medical Holdings LLC, a Mounds View, Minnesota-based company in the business of selling durable medical equipment and pharmaceuticals to hospice and other medical facilities throughout the Midwest.
 - c. Midwest Medical Holdings had between 160 and 200 employees and approximately \$17 million in annual revenue. The company's total payroll was between approximately \$5 million and \$6 million a year.
 - d. As the owner and CEO of Midwest Medical Holdings, defendant LINDBERG was responsible for filing tax returns and paying taxes on behalf of the company.



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e. Defendant LINDBERG filed, or caused to be filed, quarterly federal payroll tax returns for Midwest Medical Holdings. The returns showed that the company owed several hundred thousand dollars in federal payroll taxes each quarter.

f. Despite knowing of the company's federal payroll tax obligations, defendant LINDBERG failed to pay over to the Internal Revenue Service ("IRS") some or all of the company's federal payroll tax obligations each quarter.

g. In or about 2011, the IRS began attempting to collect the federal payroll taxes owed by Midwest Medical Holdings. These collection efforts continued for years. During that time, defendant LINDBERG entered into a number of installment agreements in which he agreed to make regular payment towards the tax debt.

h. Defendant LINDBERG defaulted on each of the installment agreements and failed to make the agreed-upon payments to the IRS.

i. In the wake of these defaults, the IRS attempted to collect the taxes owed by Midwest Medical Holdings. Among other things, the IRS attempted to levy Midwest Medical Holdings's bank accounts and accounts receivable, as well as search for assets that could be seized to pay the taxes owed.

j. Defendant LINDBERG took various affirmative acts to evade the IRS's collection of the tax debt. Among other things, LINDBERG diverted funds from Midwest Medical Holdings to other limited liability companies in order to evade payment of his tax obligations and the IRS's collection of the tax debt. LINDBERG

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used the diverted funds to purchase real estate, fund personal travel, and for personal spending. LINDBERG also placed real estate and assets in the name of limited liability companies controlled by third-party owners in order to disguise his ownership and control of the property.

k. As of December 2020, Midwest Medical Holdings has an outstanding tax balance of more than \$4.4 million. With interest and penalties, Midwest Medical Holdings owed approximately \$6,058,980 in federal income taxes.

COUNT 1
(Tax Evasion)

2. Paragraph 1 is re-alleged as if set forth herein.

3. Beginning in or about 2011, and continuing until in or about 2021, in the State and District of Minnesota and elsewhere, the defendant,

LARRY WALLACE LINDBERG,

did willfully attempt to evade and defeat the payment of quarterly payroll tax due and owing by him and Midwest Medical Holdings to the United States of America for the tax periods ending September 2012, December 2012, June 2016, September 2016, December 2016, March 2017, June 2017, September 2017, December 2017, March 2018, June 2018, September 2018, December 2018, March 2019, September 2019, December 2019, and March 2020, by committing various affirmative acts of evasion, including but not limited to:

a. In or about May 2015, defendant LINDBERG arranged for Individual A to purchase and serve as the nominal owner of a Florida vacation property in order to hide LINDBERG's ownership and control of the property from

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the IRS. Lindberg arranged a loan to fund Individual A's purchase of the property and subsequently provided Individual A money with which to make the monthly loan payments. Lindberg had the personal use of the property.

b. From in or about March 2015 to January 2019, defendant LINDBERG provided Individual A approximately \$440,000 for use in purchasing and making loan payments for the property, as well as to pay homeowners association fees for the property. These funds were diverted from Midwest Medical Holdings, LLC.

All in violation of Title 26, United States Code, Section 7201.

Dated: April 4, 2022

ANDREW M. LUGER
United States Attorney

BY: /s/Joseph H. Thompson
JOSEPH H. THOMPSON
Assistant U.S. Attorney